

Appl. No. 10/785,670
Reply to OA of March 7, 2005

REMARKS

Applicants have canceled Claims 1 – 4, 7; amended Claim 5; added Claim 8. Support for Claim 8 can be found in paragraphs 011, 0013, 0016 and Tables 1 and 2 in the specification. Upon entry of the amendments, claims 5, 6, and 8 remain pending.

Double Patenting Rejection

A terminal disclaimer is filed herewith with reference to US Patent No. 6,715,642.

§112 Rejection

Examiner rejected claims 1-3 under §112, second paragraph, because “ink jet head” in the Claims conflicts with the limitation that it does not dispense ink. Applicants have cancelled Claims 1-3 and, as such, request removal of this rejection.

§102 Rejection

Examiner rejected claims 1-7 under §102(b) as being anticipated by US 6,067,996 to Weber et al. Applicants have canceled Claims 1-3. With respect to Claim 3, although canceled, Applicants respectfully disagree with Examiner in that Claim 3 is not properly rejected under §102(b) in view of Weber. MPEP 2131 provides that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described in a single prior art reference. Weber makes no mention of liquid foundation. Rather, Weber teaches a device that utilizes ink jet print heads for only dispensing nail color.

Applicants have amended Claim 5 to add limitations that overcome the §102(b) Rejection. Claims 6 and 8 depend from Claim 5 and, as such, Applicants request removal of the §102(b) Rejection as applied to Claims 5, 6, and 8.

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Conclusion

In view of the above amendments and remarks, Applicants respectfully request allowance of the application. If Examiner believes there are any issues that preclude allowance, Applicants request that Examiner contact the Undersigned to facilitate prosecution of the application.

Respectfully submitted,

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